

REMARKS

This Amendment and Reply is intended to be completely responsive to the Non-Final Office Action mailed March 17, 2008. Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow. Claims 1, 7, 8, 11-16, 18, 20, 22-24 and 26 have been amended. No new matter has been added. Accordingly, Claims 1-8 and 11-26 will remain pending in the present Application upon entry of this Amendment and Reply.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the Application, is presented, with an appropriate defined status identifier.

Applicants note at the outset that amendments have been made to Claims 1, 7, 8, 11-16, 20, 22-24 and 26 for clarity so that the term “non-structural” is used consistently with the term “carrier.” Such claim amendments are intended to clarify the language used in the amended claims, and are in no way intended as limiting or to obtain patentability of such claims since this term was already used in the claims. Accordingly, Applicants believe that such amendments in no way impair the ability of Applicants to obtain the full scope of such claims as may be available under the Doctrine of Equivalents.

Claim Rejections – 35 U.S.C. § 112

On page 2 of the Detailed Action, the Examiner rejected Claims 1-8 and 11-26 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner alleged that the claims contain “subject matter which was not described in the specification in such way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.” Specifically, the Examiner stated that “[i]t is not seen how applicant had possession of the claimed ‘non-structural substrate

carrier', given the inconsistencies of applicant's specification." In support of this allegation, that Examiner stated:

Applicant states that the carrier is non-structural as it is not capable of transferring loads. However, the carrier has loading from the trim panel in transit, and moreover has integral impact absorbers thereon, the purpose of which is to absorb impact loading. Moreover, applicant discloses that the module, including the carrier and trim panel, also includes 'any of a variety of door related components coupled to the carrier 14 (e.g., pull cup, wire harness 18, window regulator system 20, a speaker 22, and the like' (paragraph [0021]). All of these components, particularly the pull cup and window regulator system transfer loads to the carrier.

Applicants respectfully traverse the rejections of Claims 1-8 and 11-26 under 35 U.S.C. § 112, first and second paragraphs. Specifically, Applicants submit that the present Application clearly describes what is meant by a "non-structural carrier" and respectfully disagree that the specification includes any inconsistencies with respect to this term. For example, as properly acknowledged by the Examiner, the present Application clearly recites "[t]he term 'non-structural' as used herein means that the door module carrier or substrate is not capable of transferring loads (e.g., from the window regulator system) throughout the carrier" (see paragraph [0016]). The present Application then goes on to state:

[T]he door module carrier may be configured to become structural when it is attached to a structural component of the vehicle, of carrying any primary crash loads, slam loads, consumer usage loads or window actuation loads, even though the door module carrier itself is not capable of carrying handling, shipping and non-operational loads created by the weight of regulators, handles, map pockets, wire harnesses, arm rests and the like.

(paragraph [0016]). As such, the present Application is clear and consistent in that the door module carrier is non-structural before it is attached to a structural component of the vehicle (i.e., non-structural meaning that it cannot carry handling, shipping and non-operational loads created by the weight of regulators, handles, map pockets, wire harnesses, arm rests, and the like) and that it may only become structural after it is attached to a structural component of the vehicle.

The present Application provides that the door module carrier becomes structural when it is attached to a structural component of the vehicle because when the door module carrier is fastened thereto, the loads (e.g., the loads of the mechanical or electrical components) are transferred directly to the structural vehicle part (see paragraph [0017]).

Finally, contrary to the Examiner's allegation, paragraph [0021] of the present Application is not inconsistent with the disclosure that the door module carrier is non-structural. Paragraph [0021] refers to time after the door module carrier is already attached to a structural component of the vehicle (e.g., the vehicle door 12). At such a point in time, one or more components (e.g., pull cups, wire harnesses, window regulators, speakers, and the like) can be coupled to the door module carrier because the load from such components is transferred to the structural component of the vehicle and is not being supported by the door module carrier itself.

In view of the above, Applicants submit that the term "non-structural" is clearly defined in the present Application and that the use of such term in the claims is clear and definite. Accordingly, Applicants request withdrawal of the rejections of Claims 1-8 and 11-26 under 35 U.S.C. § 112, first and second paragraphs.

Also on page 2 of the Detailed Action, the Examiner indicated that Claim 18 is illogical and questioned "[h]ow can a carrier having a first interface member be molded with the trim panel." In response, Applicants have amended Claim 18 to recite "wherein the second interface member is integrally molded with the door trim panel," which Applicants submit is now definite and in compliance with 35 U.S.C. §112, second paragraph. Accordingly, Applicants request withdrawal of the rejection of Claim 18 under 35 U.S.C. §112, second paragraph.

Claim Rejections – 35 U.S.C. § 102

On page 3 of the Detailed Action, the Examiner rejected Claims 11, 13, and 14 under 35 U.S.C. § 102 (a or e) as being anticipated by U.S. Patent No. 6,536, 164 to Kirejczyk ("Kirejczyk"). This rejection should be withdrawn because Kirejczyk fails to disclose, teach or suggest the claimed invention.

For example, independent Claim 11 recites “a method of assembling a vehicle door having a non-structural carrier, trim panel, and a structural frame” comprising, in combination with other elements, a step of “removing the trim panel from the non-structural carrier” and “mounting the trim panel to the non-structural carrier” (emphasis added).

Kirejczyk fails to disclose, teach or suggest such a method of assembling a vehicle door. Specifically, Kirejczyk fails to disclose, teach or suggest the use of a non-structural carrier. In contrast, Kirejczyk expressly recites that “this invention relates to a door module having a structural carrier which minimizes the tooling required for utilizing the door modules on different vehicle models” (see col. 1, lines 7-10; emphasis added). Rather than disclosing a non-structural carrier, Kirejczyk discloses a hardware sub-module 14, 114 having a structural carrier plate 54 (col. 3, lines 15-19). Kirejczyk appears to teach that components such as a door release handle 56, an arm rest support bracket 68, a latch bracket 70 and a window regulator 60 can be mounted to the structural carrier plate 54 before the door module 10 is presented to the door frame 80 (see col. 3, lines 25-65), which indicates that the structural carrier plate 54 is capable of supporting the loads of such components by itself. Such a carrier is mentioned in the Background of the present Application and is in direct contrast to the claimed subject matter (i.e., a non-structural carrier).

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claim 11 since at least one element of such claim is not disclosed, taught or suggested by Kirejczyk. Claims 13 and 14 depend from Claim 11 and are allowable therewith for at least the same reasons set forth above, without regard to the further patentable subject matter set forth in such claims.

Claim Rejections – 35 U.S.C. § 103

On page 4 of the Detailed Action, the Examiner rejected Claims 11-14 and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk. On page 5 of the Detailed Action, the Examiner rejected claims 1-6, 8, and 26 under 35 U.S.C. §103(a) as being unpatentable over

Kirejczyk in view of U.S. Patent No. 5,917,152 to Kameyama (“Kameyama”). Also on page 5 of the Detailed Action, the Examiner rejected Claim 7 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of Kameyama and further in view of JP2000318532 to Yazaki Corp. (“Yazaki Corp.”). On page 6 of the Detailed Action, the Examiner rejected Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of U.S. Patent Application Publication No. 20010017476 to Nishikawa et al. (“Nishikawa et al.”). Also on page 6 of the Detailed Action, the Examiner rejected Claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Kirejczyk in view Nishikawa et al. and in further view of Kameyama. Further on page 6 of the Detailed Action, the Examiner rejected Claims 19-22 under 35 U.S.C. § 103(a) as being unpatentable over Kirejczyk in view Nishikawa et al. and in further view of Yazaki Corp.

These rejections should be withdrawn because Kirejczyk alone, or in any proper combination with Kameyama, Yazaki Corp. and/or Nishikawa et al., fails to disclose, teach or suggest the claimed inventions.

For example, independent Claim 1 recites a “door module kit for transportation to location of assembly of a vehicle door,” comprising, in combination with other elements, “a non-structural substrate carrier” (emphasis added).

Independent Claim 11 recites “a method of assembling a vehicle door having a non-structural carrier, trim panel, and a structural frame” comprising, in combination with other elements, a step of “removing the trim panel from the non-structural carrier” and “mounting the trim panel to the non-structural carrier” (emphasis added).

Independent Claim 15 recites a “door module kit” comprising, in combination with other elements, “a non-structural substrate carrier having a first interface member and an integrally molded impact absorber” (emphasis added).

Independent Claim 23 recites a “method of assembling a vehicle door having a non-structural carrier, trim panel, and a structural frame” comprising, in combination with other elements, the steps of “removing the trim panel from the assembly line fixture” and “mounting the trim panel to the non-structural carrier” (emphasis added).

Kirejczyk alone, or in any proper combination with Kameyama, Yazaki Corp. and/or Nishikawa et al., fails to disclose, teach or suggest such door modules kits or methods, each of which recites a non-structural carrier.

As set forth above, Kirejczyk does not disclose, teach or suggest the use of a non-structural carrier. Applicants submit that neither Kameyama, Yazaki Corp. nor Nishikawa et al. correct the deficiency of Kirejczyk. Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claims 1, 11, 15 and 23 under 35 U.S.C. §103(a) since at least one element of such claims is not disclosed, taught or suggested by Kirejczyk alone, or in any proper combination with Kameyama, Yazaki Corp. and/or Nishikawa et al. Claims 2-8, 12-14, 16-22 and 24-26 depend variously from Claims 1, 11, 15 and 23 and are allowable therewith for at least the same reasons set forth above, without regard to the further patentable subject matter set forth in such claims..

* * *

Applicants respectfully submit that each and every pending rejection has been overcome, and that the present Application is in a condition for allowance. In particular, even when the elements of Applicants’ claims, as discussed above, are given a broad construction and interpreted to cover equivalents, the cited references do not teach, disclose, or suggest the claimed subject matter. Favorable reconsideration of the Application is respectfully requested.

Further, Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present Application and should not be considered when evaluating any other patent or patent

application including any patents or patent applications which claim priority to this patent application and/or any patents or patent applications to which priority is claimed by this patent application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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